

222.441 Capacity of minor to consent to treatment -- Petition to District Court by minor hospitalized or treated involuntarily.

- (1) Notwithstanding any other law, a minor who suffers from a substance use disorder or emotional disturbance from the effects of a family member or legal guardian's substance use disorder or the parent or guardian of the minor may give consent to the furnishing of medical care or counseling related to the assessment or treatment of the conditions. The consent of the minor shall be valid as if the minor had achieved majority. No person or facility shall incur liability by reason of having made a diagnostic examination or rendered treatment as provided in this section, but the immunity shall not apply to any negligent acts or omissions.
- (2) A minor hospitalized or treated without the minor's consent but with the consent of the parent or guardian may petition the District Court to determine whether the minor is suffering from a substance use disorder and whether the treatment is necessary for the health and welfare of the minor.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 128, sec. 23, effective June 27, 2019. -- Created 1994 Ky. Acts ch. 334, sec. 9, effective July 15, 1994.